



PATENT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Brian Tack et al.

Serial No.: 09/642,744

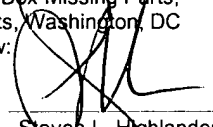
Filed: August 18, 2000

For: ALPHA HELICAL PEPTIDES WITH
BROAD SPECTRUM ANTIMICROBIAL
ACTIVITY THAT ARE INSENSITIVE TO
SALT

Group Art Unit: 1646

Examiner: Unknown

Atty. Dkt. No.: IOWA:026US/SLH

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:	
March 12, 2001	
Date	Steven L. Highlander

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated October 12, 2000, there are enclosed herewith:

- (a) Declaration executed on behalf of Brian F. Tack, Paul B. McCray, Jr., Michael Welsh, Sue M. Travis and Robert Lehrer;
- (b) Two Power of Attorneys on behalf of The University of Iowa Research Foundation and The Regents of the University of California;
- (c) Two Declarations Claiming Small Entity Status executed on behalf of The University of Iowa Research Foundation and The Regents of the University of California;

- (d) Our check in the amount of \$1164.00 to cover the basic filing fee (\$355 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$299.00); three month extension of time fee (\$445.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and
- (f) A Request for Extension of Time of three months to and including March 12, 2001.
- Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

Two Assignments to The University of Iowa Research Foundation and The Regents of the University of California and two checks for \$40.00 each are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10008937/SLH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: March 12, 2001



TELEPHONE: 512/536-3201
FACSIMILE: 512/536-4598

STEVEN L. HIGHLANDER
PARTNER

INTERNET ADDRESS:
SHIGHLANDER@FULBRIGHT.COM

DIRECT DIAL: 512/536-3184

FULBRIGHT & JAWORSKI L.L.P.

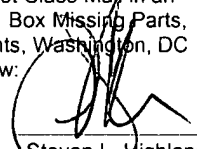
A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701

HOUSTON
WASHINGTON, D.C.
AUSTIN
SAN ANTONIO
DALLAS
NEW YORK
LOS ANGELES
MINNEAPOLIS
LONDON
HONG KONG

Sector #3

March 12, 2001

FILE: TOWA:026US

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:	
March 12, 2001	
Date	Steven L. Highlander

BOX MISSING PARTS

Commissioner for Patents
Washington, DC 20231

RE: SN 09/642,744 "ALPHA HELICAL PEPTIDES WITH BROAD SPECTRUM
ANTIMICROBIAL ACTIVITY THAT ARE INSENSITIVE TO SALT" - Brian Tack et al.
(Client Reference: URIF N9-28/2001-135-1)

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed October 12, 2000;
- (2) Declaration executed by Brian F. Tack, Paul B. McCray, Jr., Michael Welsh, Sue M. Travis and Robert Lehrer;
- (3) Two Small Entity Declarations;
- (4) Two Power of Attorneys;
- (5) Request for Extension of Time;
- (6) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;

Commissioner for Patents

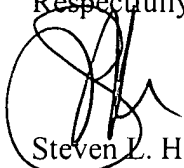
March 12, 2001

Page 2

- (7) Check in the amount of \$1164.00; and
- (8) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10008937/SLH.

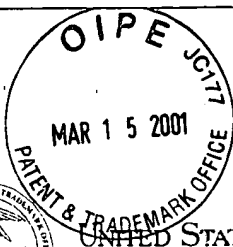
Respectfully submitted,

A handwritten signature in black ink, appearing to be "SLH", is written over a circular stamp or seal.

Steven L. Highlander
Reg. No. 37,642

SLH/mar

Encl: as noted



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/642,744	08/18/2000	Brian Tack	IOWA:026US

Docketing Purposes
600 Congress Avenue
Suite 1900
Austin, TX 78701

FORMALITIES LETTER



OC000000005466774

Date Mailed: 10/12/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$588.
 - \$198 for 11 total claims over 20.
 - \$390 for 5 independent claims over 3.
- o The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- o The balance due by applicant is \$ 1408.

Adjustment date: 12/11/2001 YGIZAW
03/16/2001 MABDI1 00000041 501212 09642744
01 FC:101 -710.00 OP
02 FC:102 -240.00 OP
03 FC:103 -198.00 OP

03/16/2001 MABDI1 00000041 501212 09642744

01 FC:101 710.00 OP
02 FC:102 240.00 OP
03 FC:103 198.00 OP

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

12/11/2001 YGIZAW 00000005 09642744

01 FC:201 355.00 OP
02 FC:202 200.00 OP
03 FC:203 99.00 OP
04 FC:205 65.00 OP
445.00 OP

PART 2 - COPY TO BE RETURNED WITH RESPONSE

